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Attorneys for Defendant Complex Media, Inc.

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MARC RICHARDSON,

Plaintiff,

-against-

COMPLEX MEDIA, INC., a Delaware
Corporation individually and doing business
as “Complex” and “Complex UK”; and
DOES 1-10,

Defendants.

Civil Action No.: 1:20-cv-06201 (JSR) (KHP)

NOTICE OF MOTION

PLEASE TAKE NOTICE that defendant, Complex Media, Inc. (“Complex Media”), by its undersigned attorneys, upon the accompanying Memorandum of Law and Declaration of Nancy A. Del Pizzo, respectfully moves this Court before the Honorable Jed S. Rakoff, U.S.D.J., at the United States District Court for the Southern District of New York, Thurgood Marshall United

States Courthouse, 500 Pearl Street, Courtroom 14B, New York, New York 10007, for an Order dismissing the Complaint in its entirety pursuant to Fed. R. Civ. P. 12(b), or in the alternative, for summary judgment under Fed. R. Civ. P. 12(d), and for an Order granting Complex Media attorneys' fees and costs under 17 U.S.C. § 505 and leave to file its affidavit of services for same, and for such other and further relief as the Court may deem just and appropriate; and,

PLEASE TAKE FURTHER NOTICE that Complex Media requests oral argument if this motion is opposed.

Dated: October 13, 2020

Respectfully submitted,

RIVKIN RADLER LLP

By: s/ Nancy A. Del Pizzo
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